(4)

1987
Suspension 19.11.05

IN THE HIGH COURT OF JUDICATURE AT BILASPUR, (C.G.)

SINGLE BENCH

W.P. No. 3577 /2006

PETITIONER:

Smt. Manjula Mehta, W/o Shri Sunil Kumar Mehta, Aged about 42 years, Occupation-Lecturer, Posted at Model Higher Secondary School Dondi, District-Durg (C.G.) R/o G-7, Model Higher Secondary School Campus, Dondi, District Durg (C.G)

P.B. No. 3648/06
Presented by Shri Anand Pandey
dated 12/12/06

VERSUS

RESPONDENTS:

1. State of Chhattisgarh
Through the Secretary Department of Schedule Caste and Scheduled Tribe Development, Mantralaya
D. K. S.Bhawan, Raipur (C.G.)

2. The Commissioner
Tribal Welfare Department, Govt. of Chhattisgarh, near Pt. Ravi shankar University Premises, Raipur (C.G.)

3. The Principal Model Higher Secondary School, Dondi, District-Durg (C.G.)

OATH COMMISSIONER
APARNA MADIYA
CG-2073/06
02/08/06
Bilaspur Chhattisgarh

RECEIVED-COPY
17/12/06
CLERK TO A. G. BILASPUR

PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF APPROPRIATE WRITS OF MANDAMUS AND CERTIORARI AND FOR OTHER SUITABLE WRITS AND DIRECTIONS:-

(51)

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P. 3577/06 **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

20.7.2006

Heard Shri Jitendra Pali, Advocate for the petitioner.

Miss Deepali Pandey, P.L. for the State on advance copy.

By this petition the petitioner has prayed for quashment of the order dated 19.11.2005 (Annexure P-1) whereby the petitioner was placed under suspension; order dated 2.6.2006 (Annexure P-12) whereby she has been reinstated in services and also the order dated 21.3.2006 (Annexure P-10) whereby she has not been permitted to perform her duties. It has been further prayed that the respondents be directed to pay the full salary for the period of suspension to the petitioner.

As far as the quashment of order dated 19.11.2005 (Annexure P-1) is concerned, that has already been revoked by order dated 2.6.2006 (Annexure P-12) and as the petitioner's suspension has been revoked by the said order and she has been transferred to Middle School, Nagri, therefore, there is no question of quashment of order dated 2.6.2006 whereby the petitioner has been reinstated.

As far as the payment of full salary to the petitioner for the suspension period is concerned, for which the order dated 2.6.2006 (Annexure P-12) is self-contained in which it has been mentioned that the department shall decide the entitlement of the petitioner for the period of suspension after completion of the enquiry. Therefore, I do not find any illegality in this order.

As far as the quashment of order dated 21.3.2006 ((Annexure P-10) is concerned, in view of order dated 2.6.2006 whereby the petitioner has been reinstated in services and posted at Middle School, Nagri, the order dated 21.3.2006 automatically stands overruled and now the petitioner is at liberty to join and perform her duties in pursuance of order dated 2.6.2006 (Annexure P-12).

In view of the above, the petition stands disposed of.

Consequently, M.(W.)P. No.2767/06 also stands disposed of.

Sd/-
L.C. Bhadoo
Judge

Roshan/-

P.T.O.